

EXHIBIT A

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Alex S. Capozzi, Esq. - 099672014
BRACH EICHLER LLC
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Roseland, NJ 07068
Phone: 973-364-5212
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Attorneys for Plaintiff

DEBORAH NAGY and ROGER NAGY,
h/w,

Plaintiff,

vs.

OUTBACK STEAKHOUSE, OUTBACK
STEAKHOUSE OF FLORIDA, LLC.,
TORTOISE & HARE LLC, C/O OUTBACK
FL., JOHN DOES 1-5, ABC
CORPORATIONS 1-5, JOHN DOE
PROPERTY OWNERS 1-5, JOHN DOE
LESSEES 1-5, JOHN DOE MAINTENANCE
COMPANIES 1-5, (fictitious designations),

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY

DOCKET NO. MID-L-

Civil Action

COMPLAINT, CERT. PURSUANT
TO R. 4:5-1; DEMAND FOR JURY
TRIAL; DESIGN. OF TRIAL
COUNSEL; STATEMENT OF
DAMAGES PURSUANT TO R. 4:5-2

Plaintiffs, DEBORAH NAGY and ROGER NAGY, by way of their Complaint against
Defendants, states as follows:

I. NEGLIGENCE

1. At all times material hereto, Plaintiffs, DEBORAH NAGY and ROGER NAGY, resided at 135 Clifford St., South Plainfield, New Jersey.
2. At all times material hereto, Defendant, OUTBACK STEAKHOUSE, was a restaurant authorized to conduct business in the State of New Jersey with a location at 98 US-22 W., Green Brook Township, New Jersey.
3. At all times material hereto, Defendant, OUTBACK STEAKHOUSE OF FLORIDA, LLC., was a company authorized to conduct business in the State of New Jersey with a principal place of business at 2202 N. W. Shore Blvd., Suite 5000, Tampa, Florida.
4. At all times material hereto, Defendant, TORTOISE & HARE LLC, C/O OUTBACK FL., was a company authorized to conduct business in the State of New Jersey with a principal place of business at 2202 N. W. Shore Blvd., 4th Floor, Tampa, Florida.
5. At all times material hereto, Defendant, TORTOISE & HARE LLC, C/O OUTBACK FL was the owner and/or otherwise in custody and control of the premises located at 98 US-22 W., Green Brook Township, New Jersey.
6. At all times material hereto, Defendants, JOHN DOES 1-5; were and/or are fictitiously named individuals, the identity, addresses and culpable conduct of said Defendants being presently unknown. Said Defendants were the owners and/or otherwise in custody and control of the property and premises, which caused Plaintiff to sustain injuries. The Plaintiff reserves the right to amend this complaint upon obtaining knowledge of the identity, addresses and culpable conduct of the Defendants represented herein as JOHN DOES 1-5.
7. At all times material hereto, Defendants, ABC CORPORATIONS 1-5; were and/or are fictitiously named partnerships, professional associations and/or professional corporations (hereinafter "partnerships") which exist under the laws of the State of New Jersey, the identity,

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addresses and culpable conduct of said Defendants being presently unknown. Said Defendants were the owners and/or otherwise in custody and control of the property and premise, which caused Plaintiff to sustain injuries. The Plaintiff reserves the right to amend this complaint upon obtaining knowledge of the identity, addresses and culpable conduct of the defendants represented herein as ABC CORPORATIONS 1-5.

8. At all times material hereto, Defendants, JOHN DOE PROPERTY OWNERS 1-5; were and/or are fictitiously named homeowners, the identity, addresses and culpable conduct of said Defendants being presently unknown. Said Defendants were the owners and/or otherwise in custody and control of the property and premises, which caused Plaintiff to sustain injuries. The Plaintiff reserves the right to amend this complaint upon obtaining knowledge of the identity, addresses and culpable conduct of the defendants represented herein as JOHN DOE PROPERTY OWNERS 1-5.
9. At all times material hereto, Defendants, JOHN DOE LESSEES 1-5; were and/or are fictitiously named homeowners, the identity, addresses and culpable conduct of said Defendants being presently unknown. Said Defendants were the owners and/or otherwise in custody and control of the property and premises, which caused Plaintiff to sustain injuries. The Plaintiff reserves the right to amend this complaint upon obtaining knowledge of the identity, addresses and culpable conduct of the defendants represented herein as JOHN DOE LESSEES 1-5.
10. At all times material hereto, Defendants, JOHN DOE MAINTENANCE COMPANIES 1-5; were and/or are fictitiously named maintenance companies, the identity, addresses and culpable conduct of said Defendants being presently unknown. Said Defendants were responsible for the maintenance and/or servicing of the premises in the custody and control of the defendants, which caused Plaintiff to sustain injuries. The Plaintiff reserves the right to

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amend this complaint upon obtaining knowledge of the identity, addresses and culpable conduct of the defendants represented herein as JOHN DOE MAINTENANCE COMPANIES 1-5.

11. All Defendants acted by and through their respective agents, servants, employees, officers, directors or others, actual and/or apparent, any and all of which were then and there acting within the course and scope of their employment, duties or agency, actual and/or apparent.
12. On or about October 18, 2018, Defendants were the owners or were otherwise in custody and control of the property and premises located at 98 US-22 W., Green Brook Township, New Jersey.
13. At the above time and place, Plaintiff, DEBORAH NAGY, was a business invitee, and/or a social invitee, and/or licensee of the Defendants, or either of them, or a pedestrian lawfully upon the property and premises aforementioned.
14. At the same time and place, Plaintiff, DEBORAH NAGY, was caused to be injured, due to a dangerous and hazardous condition on the premises.
15. At the above time and place, Defendants individually and/or through certain mutual arrangements and/or agreements, as well as through the acts and/or omissions of their agents, servants, and/or employees, were responsible for the inspection, maintenance, repair, supervision, supervision of repair, and upkeep of the property and premises aforesaid.
16. At the above time and place, Defendants, were further responsible for the maintenance, construction, remodeling and/or repair and inspection of the aforementioned property and premises.
17. Said dangerous and hazardous condition was caused, created and/or allowed to exist on the property and premises aforementioned due to the carelessness and negligence of Defendants, and that Defendants were further careless and negligent in failing to remedy, properly inspect,

repair and/or warn of same.

18. That as a result of the carelessness and negligence of the Defendants as aforesaid, Plaintiff, was caused to suffer and sustain severe permanent injuries, both temporary and permanent in nature, permanent consequential limitations of use of body organs and members, suffered significant limitations of use of body functions or systems, has in the past and will in the future be caused to suffer severe pain, anguish and emotional distress, has in the past and will in the future be incapacitated, limited and restricted in her normal activities and occupations, and has in the past and will in the future be caused to expend substantial sums of money for medical treatment in an effort to relieve her pain and cure his injuries.

WHEREFORE, Plaintiff, DEBORAH NAGY, demands judgment for damages against Defendants, jointly, severally or in the alternative, for money damages, together with interest and costs of suit and attorney's fees.

II. LOSS OF CONSORTIUM

19. Plaintiff repeats and re-alleges all prior allegations as if fully set forth herein.
20. At the time and place aforesaid, Plaintiff, ROGER NAGY, was the spouse of DEBORAH NAGY and was entitled to the services, comfort, consortium and society of his wife.
21. As a result of Defendants' negligence, Plaintiff, ROGER NAGY, was deprived of the services, comfort and society of his wife, and was rendered obligated for her debts.

WHEREFORE, Plaintiff, ROGER NAGY, demands judgment against the Defendants on this Count jointly, severally, or in the alternative, for damages, together with interest, costs of suit and attorney's fees.

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BRACH EICHLER LLC



By: _____

Alex S. Capozzi, Esq.
Attorney for Plaintiff

Dated: January 21, 2019

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DEMAND FOR TRIAL BY JURY

Plaintiff hereby demands a trial by jury as to all issues.

DESIGNATION OF TRIAL COUNSEL

Pursuant to R. 4:25-4, Alex S. Capozzi, Esquire, is hereby designated as trial counsel on behalf of Plaintiff.

CERTIFICATION PURSUANT TO R. 4:5-1

I, Alex S. Capozzi, Esquire, hereby certify that the facts contained in the within matter are not the subject of any other action pending in any other court or of a pending arbitration proceeding to the best of my knowledge or belief. Further, other than the parties set forth in this pleading, I know of no other parties that should be joined in the above action. I also certify that the facts contained in the within matter are true and correct to the best of my knowledge and belief. If any of the statements made by me are willfully false, I am subject to punishment.

STATEMENT OF DAMAGES CLAIMED PURSUANT TO R. 4:5-2

Plaintiff requests damages in the amount of one million dollars (\$1,000,000.00) with regard to the above-captioned case.

BRACH EICHLER LLC



By: _____

Alex S. Capozzi, Esq.
Attorney for Plaintiff

Dated: January 21, 2019

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Civil Case Information Statement

Case Details: MIDDLESEX | Civil Part Docket# L-000930-19

Case Caption: NAGY DEBORAH VS OUTBACK
STEAKHOUSE

Case Initiation Date: 01/28/2019

Attorney Name: ALEX S CAPOZZI

Firm Name: BRACH EICHLER LLC

Address: 101 EISENHOWER PWY
ROSELAND NJ 07068

Phone:

Name of Party: PLAINTIFF : NAGY, DEBORAH

Name of Defendant's Primary Insurance Company
(if known): GALLAGHER BASSETT

Case Type: PERSONAL INJURY

Document Type: Complaint with Jury Demand

Jury Demand: YES - 6 JURORS

Hurricane Sandy related? NO

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

**Do you anticipate adding any parties (arising out of same
transaction or occurrence)?** NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

**Use this space to alert the court to any special case characteristics that may warrant individual
management or accelerated disposition:**

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule 1:38-7(b)*

01/28/2019

Dated

/s/ ALEX S CAPOZZI

Signed

NJ SUPERIOR COURT LAWYER REFERRAL AND LEGAL SERVICE LIST**ATLANTIC COUNTY:**

Deputy Clerk, Superior Court
Civil Division, Direct Filing
1201 Bacharach Blvd., 1st Fl.
Atlantic City, NJ 08401
LAWYER REFERRAL
(609) 345-3444
LEGAL SERVICES
(609) 348-4200

ESSEX COUNTY:

Deputy Clerk, Superior Court
Civil Customer Service
Hall of Records, Room 201
465 Dr. Martin Luther King Jr.
Blvd
Newark, NJ 07102
LAWYER REFERRAL
(973) 622-6204
LEGAL SERVICES
(973) 624-4500

MONMOUTH COUNTY:

Deputy Clerk, Superior Court
Court House
P. O. Box 1269
Freehold, NJ 07728-1269
LAWYER REFERRAL
(732) 431-5544
LEGAL SERVICES
(732) 866-0020

SUSSEX COUNTY:

Deputy Clerk, Superior
Court
Sussex County Judicial
Center
43-47 High Street
Newton, NJ 07860
LAWYER REFERRAL
(973) 267-5882
LEGAL SERVICES
(973) 383-7400

BERGEN COUNTY:

Deputy Clerk, Superior Court
Civil Division, Room 115
Justice Center, 10 Main St
Hackensack, NJ 07601
LAWYER REFERRAL
(201) 488-0044
LEGAL SERVICES
(201) 487-2166

GLOUCESTER COUNTY:

Deputy Clerk, Superior Court
Civil Case Management Office,
Attn: Intake, First Fl., Court
House
1 North Broad Street
Woodbury, NJ 08096
LAWYER REFERRAL
(856) 848-4589
LEGAL SERVICES
(856) 848-5360

MORRIS COUNTY:

Morris County Courthouse
Civil Division
Washington & Court Streets
P. O. Box 910
Morristown, NJ 07963-0910
LAWYER REFERRAL
(973) 267-5882
LEGAL SERVICES
(973) 285-6911

UNION COUNTY:

Deputy Clerk, Superior
Court
1st Floor, Court House
2 Broad Street
Elizabeth, NJ 07207-
6073
LAWYER REFERRAL
(908) 353-4715
LEGAL SERVICES
(908) 354-4340

BURLINGTON COUNTY:

Deputy Clerk, Superior Court
Central Processing Office
Attn: Judicial Intake
First Fl., Courts Facility
49 Rancocas Road
Mt. Holly, NJ 08060
LAWYER REFERRAL
(609) 261-4862
LEGAL SERVICES
(609) 261-1088

HUDSON COUNTY:

Deputy Clerk, Superior Court
Civil Records Dept.
Brennan Court House, 1st Floor
583 Newark Avenue
Jersey City, NJ 07306
LAWYER REFERRAL
(201) 798-2727
LEGAL SERVICES
(201) 792-6363

OCEAN COUNTY:

Deputy Clerk, Superior Court
Court House, Room 121
118 Washington Street
P. O. Box 2191
Toms River, NJ 08754-2191
LAWYER REFERRAL
(732) 240-3666
LEGAL SERVICES
(732) 341-2727

WARREN COUNTY:

Deputy Clerk, Superior
Court
Civil Division, Court
House
413 Second Street
Belvidere, NJ 07823-
1500
LAWYER REFERRAL
(908) 859-4300
LEGAL SERVICES
(908) 475-2010

CAMDEN COUNTY:

Deputy Clerk, Superior Court
Civil Processing Office
Hall of Justice
1st Fl, Suite 150
101 South 5th Street
Camden, NJ 08103
LAWYER REFERRAL
(856) 482-0618
LEGAL SERVICES
(856) 964-2010

HUNTERDON COUNTY:

Deputy Clerk, Superior Court
Civil Division
65 Park Avenue
Flemington, NJ 08822
LAWYER REFERRAL
(908) 236-6109
LEGAL SERVICES
(908) 782-7979

PASSAIC COUNTY:

Deputy Clerk, Superior Court
Civil Division - Court House
77 Hamilton Street
Paterson, NJ 07505
LAWYER REFERRAL
(973) 278-9223
LEGAL SERVICES
(973) 523-2900

CAPE MAY COUNTY:

Deputy Clerk, Superior Court
9 N. Main Street
Cape May Court House, NJ
08210
LAWYER REFERRAL
(609) 463-0313
LEGAL SERVICES
(609) 465-3001

MERCER COUNTY:

Deputy Clerk, Superior Court
Local Filing Office, Courthouse
175 S. Broad Street
P. O. Box 8068
Trenton, NJ 08650
LAWYER REFERRAL
(609) 585-6200
LEGAL SERVICES
(609) 695-6249

SALEM COUNTY:

Deputy Clerk, Superior Court
Attn: Civil Case Management
Office
92 Market Street
Salem, NJ 08079
LAWYER REFERRAL
(856) 935-5629
LEGAL SERVICES
(856) 691-0494

CUMBERLAND COUNTY:

Deputy Clerk, Superior Court
Civil Case Management Office
60 West Broad Street
P. O. Box 10
Bridgeton, NJ 08302
LAWYER REFERRAL
(856) 696-5550
LEGAL SERVICES
(856) 691-0494

MIDDLESEX COUNTY:

Deputy Clerk, Superior Court
Middlesex Vicinage
Second Floor, Tower
56 Paterson Street
P. O. Box 2633
New Brunswick, NJ 08903-2633
LAWYER REFERRAL
(732) 828-0053
LEGAL SERVICES
(732) 249-7500

SOMERSET COUNTY:

Deputy Clerk, Superior Court
Civil Division Office
40 North Bridge Street
P. O. Box 3000
Somerville, NJ 08876
LAWYER REFERRAL
(908) 685-2323
LEGAL SERVICES
(908) 231-0840